

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

98 AUG 19 PM 12:58

U.S. DISTRICT COURT
N.D. OF ALABAMA

ISSAC HOOD, JR.,

Plaintiff,

vs.

CV 98-H-1567-S

WARDEN RON SUTTON, WARDEN
JAMES H. DELOACH, CAPTAIN JULIAN
VARNER, and LT. STEVE HICKS,

Defendants.

cho

ENTERED

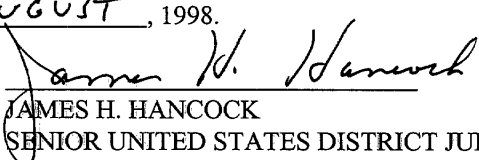
AUG 19 1998

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on July 21, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on August 7, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 19th day of AUGUST, 1998.


JAMES H. HANCOCK

SENIOR UNITED STATES DISTRICT JUDGE

8